IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the June 09th, 2006

Criminal Misc. Bail Application No.493 of 2006

Order on the bail application of accused

CRIMINAL SIDE

Jyada @ Jada
S/o Mustafa
R/o Kasba Jhabrera
P.S. Jhabrera
District Haridwar ….. Applicant

Versus

State of Uttaranchal ….. Opposite Party

Arising out of case crime No.46 of 2006
Under Sections 363, 366 IPC & 3(2)(5) S.C. S.T. Act
P.S. Jhabrera
District Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Navneet Kaushik learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. As per the prosecution version, the incident took place in the intervening night of 23/24.06.2006. It has been alleged that the victim was taken away by the applicant-accused by enticing her. It was contended that the father and mother of the victim were sleeping at the relevant time and as to how they came to know the time when the victim was taken. It was contended that if the victim was taken in the right then how the witnesses have seen the incident. It was night when the victim was taken and the report was lodged in the morning at about 5:30am. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

(J. C. S. Rawat, J.)

Dated 09.06.2006

LSR